



PATENT  
Customer No. 22,852  
Attorney Docket No. 08676.0012-01000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
James Michael O'DWYER ) Group Art Unit: Unknown  
)  
Application No.: 10/790,068 ) Examiner: Unknown  
)  
Filed: March 2, 2004 )  
)  
For: PROJECTILE FIRING )  
APPARATUS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application

With the exception of five (5) documents, the documents listed in the 1449 form were previously cited in prior Application No. 09/958,465, filed February 26, 2002, upon which Applicant relies for the benefits of 35 U.S.C. § 120. Under the provisions of 37 C.F.R. § 1.98(d), copies of these previously-cited documents are not submitted with this Statement.

Copies of the five documents that were not cited in prior Application No. 09/958,465, are submitted herewith.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the U.S. Patent Office the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

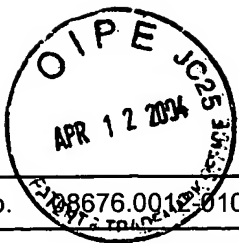
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 12, 2004

By:   
Michael L. Woods  
Reg. No. 50,811



## INFORMATION DISCLOSURE CITATION

Atty: Docket No.	8676.0012-01000	Appln. No.	10/790,068
Applicant	James Michael O'DWYER		
Filing Date	March 2, 2004	Group:	Unknown

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	2,313,030	03/1943	Tauschek			
	3,169,333	02/1965	Scanlon, Jr.			
	3,854,231	12/1974	Broyles			
	4,012,985	03/1977	Magnusson			
	4,024,790	05/1977	Heiderer			
	5,042,388	08/1991	Warren et al.			
	5,133,242	07/1992	Witt			
	5,404,789	04/1995	Haas			
	5,883,329	03/1999	O'Dwyer			
	6,123,007	09/2000	O'Dwyer			
	6,138,395	10/2000	O'Dwyer			
	6,223,642	05/2001	O'Dwyer			
	6,301,819	10/2001	O'Dwyer			

## FOREIGN PATENT DOCUMENTS

Examiner Initial*	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	<del>2 262 278</del>	09/1975	France			
	<del>WO 94/20809</del>	09/15/1994	WIPO			
	<del>WO 98/55824</del>	12/10/1998	WIPO			
	<del>DE 2752844 A1</del> ✓	11/26/1977	Germany			Abstract (English)
	<del>DE 3643 197 A1</del>	06/23/1988	Germany			Abstract (English)
	<del>GB 1594 686</del>	08/05/1981	Great Britain			

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
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Examiner Initial*		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	X	DE 4014 192	11/07/1991	Germany			Abstract (English)
	X	AU 38,985/72	08/16/1973	Australia			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	PCT International Search Report – PCT/AU00/00297, in the name of Metal Storm Limited, etc.

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce